

VISIT...

LANZAROTE
Caliente.COM

THE GREAT BETRAYAL

*The General Welfare
Clause of the
Constitution*



by
EUSTACE MULLINS

THE GREAT BETRAYAL

*The General Welfare
Clause of the
Constitution*



by

EUSTACE MULLINS

THE GREAT BETRAYAL

The General Welfare Clause of the Constitution

by

Eustace Mullins



Constitutional Commission
The National Commission for Judicial Reform

THE GREAT BETRAYAL

The General Welfare Clause of the Constitution

Published by the National Commission for Judicial Reform

P.O. Box 1105

Staunton, Virginia 24401

First Edition

Copyright 1991

Eustace Mullins

ALL RIGHTS RESERVED

No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form by any means - electronic, mechanical, photocopy, recording or otherwise - without express prior permission, with the exception of brief excerpts in magazine articles and/or reviews.

Printed in the United States of America

Books by Eustace Mullins

Mullins on the Federal Reserve

My Life in Christ

This Difficult Individual, Ezra Pound

The World Order

A Writ for Martyrs

The Curse of Canaan

Murder by Injection

Secrets of the Federal Reserve

The Rape of Justice

for

George Murray

a Writer's writer

FOREWORD

This is the story of the Great Betrayal. During the twentieth century, Americans increasingly have become inured, even desensitized, to the continuous accusations, testimony, and public hearings which have detailed the many betrayals of our Republic. Why have there been so many betrayals, rather than one calamitous act of treason? The history of this century has borne out the strength of the admirable edifice which was reared up by our Founding Fathers. They included in it so many safeguards, so many far-sighted defenses, so many shields for the security of the succeeding generations, that no single act of conspiracy could bring it down. No Benedict Arnold, no Franklin Delano Roosevelt, acting alone, no matter how seasoned they might be in the affairs of treason, could weaken this great edifice to the extent that the ever-waiting barbarians, the Thuggees of old, could pour into the breach and take possession of our culture without a fight. For that reason, the process of betrayal has been an ongoing one, continuing over a period of many years.

In tracing and reconstructing the operations of this process, the present writer has devoted some fifty years to investigation, assiduously trying to locate the missing key, a Golden Key of Destruction, that single instrument which had the deadly ability to plunge our nation into its present abysmal state. Our Colossus of Liberty, so artfully constructed, could fend off the snarling dogs and the multitudinous rabble of our enemies for a considerable time, but inevitably, at some dark moment, there came the poignant instant when the blade was thrust into the heart of the nation. During those decades, this writer, like a latter day Sherlock Holmes, busied himself with obtaining the evidence, seeking piecemeal the hidden proofs and the most finite documentation of the crimes of the enemy against us. There was more than enough such testimony to keep me occupied for many years, but, with each new piece of evidence, I added another and even more meaningful piece to the puzzle, and thus came another step towards completing the entire picture. Even as my assemblage of evidence grew more mountainous, their pattern became ever more simplified, until, at last, I realized that I was on the verge of revealing the final

apostasy of those who had dedicated their lives to bringing down the American Republic. I found this last, and most damning proof, not in some obscure protocol of the conspirators, hidden in some dusty recess, but in the imposing building of our National Archives. The secret was found in the language of our most sacred text, the Constitution of the United States of America.

Did this discovery mean that, deep within the provisions of the Constitution, the Founding Fathers had ignorantly, or perhaps, even by design, included some trick phrase which would later become the Achilles Heel of our country? Not at all. If the Founding Fathers had erred, it was on the side of zeal, because they went to such great efforts to make certain that no door was left open, no possible avenue of betrayal inadvertently left unguarded, which might give aid and comfort to those vipers who, working from within or from abroad, would overlook no opportunity to end this Republic, and thus deliver the coup de grace to mankind's most noble experiment in freedom. In the entire Constitution, there are few phrases which, despite the frenetic efforts of demagogues and renegades, could lend themselves to such gross misrepresentation. However, I did find, in one phrase of this great document, words which reflected the highest aspirations of the Founding Fathers, a phrase which occurs in the Preamble to the Constitution, and which appears again in Article I, Section Eight. This phrase is "the general welfare". It would be difficult to read into this phrase any ambiguity, or any opportunity for demagoguery, and yet such purpose was found. In this book, we have a dual purpose, first, to explain how ruthless men adopted this phrase to further their great conspiracy against America, and second, the techniques which they employed to incorporate this phrase as the very keystone of their Welfare State, a creation which they intended as the replacement for the free Republic of the United States. From the powers derived from that overthrow, they confidently anticipate that they will now initiate what they fondly refer to as "the New World Order".

ABOUT THE AUTHOR

For almost half a century, Eustace Mullins has been researching and writing about matters of pressing national interest. To each subject, he brings a unique personal point of view which is never swayed by any political or financial influence. A native Virginian, he is a direct descendant of William Mullins, a signer of the Mayflower Compact, the first code of government produced in the New World. He served thirty-eight months in the United States Army Air Force during World War II. He was educated at Washington and Lee University, Ohio State University, the University of North Dakota, New York University, Escuela des Bellas Artes, San Miguel de Allende, and the Institute of Contemporary Arts.

His given name, Eustace, means "Justice" in Aramaic, the language spoken by Jesus Christ. A further linguistic definition of this name is "God's equal justice as promised for all".

These many decades of investigative work were made possible by Eustace Mullins being launched upon this career as the protege of the poet Ezra Pound, four of whose students, William Butler Yeats, James Joyce, Ernest Hemingway, and T. S. Eliot, were subsequently awarded the Nobel Prize for Literature. He also became the protege of George Stimpson, founder of the National Press Club in Washington, D.C., who was known as the most respected journalist in Washington; and of H.L. Hunt, a businessman who evinced a lifelong concern with good government. As a memorial to the work of Ezra Pound, Eustace Mullins founded the Ezra Pound Institute of Civilization in 1972, in order to continue Pound's ground-breaking work in literature and economics.

INTRODUCTION

This monograph was originally delivered as a Legal Opinion, "Mullins on the General Welfare Clause of the Constitution of the United States" at the Observance of the Eightieth Anniversary of the Secret Writing of the Federal Reserve Act in the Jekyll Island Club, Jekyll Island, Georgia. It was given by Eustace Mullins in the Federal Reserve Room at the meeting of the Lawrence Patterson Financial Strategy Organization under the auspices of "Criminal Politics", on February 1, 1991.

Contents

Chapter One	Jefferson and/or Hamilton	1
Chapter Two	The Welfare State	8
Chapter Three	The Constitution	14
Chapter Four	The Welfare State as Criminal Syndicalism	20
Chapter Five	This Honorable Court	28
Chapter Six	The Future of America	36

CHAPTER ONE

JEFFERSON and/or HAMILTON

During the past fifty years, I have found a recurring leitmotif throughout the evidence which I have amassed detailing subterranean influences which have been working to wreck our nation. This leitmotif is to be found again and again in the history of the American people. It is the record of the opposition of the ideals of two men, Thomas Jefferson and Alexander Hamilton, who epitomized throughout their political careers two divergent strains of thought, the irreconcilable and still unresolved conflict between those who believe in the people of the United States, as did Thomas Jefferson, and those who believe only in the unrestrained machinations of a hidden oligarchy, as did Alexander Hamilton. In my first published work, *Mullins on the Federal Reserve*, I discussed the opposing forces which these two men represented throughout their lives, and the influence of those forces upon the subsequent history of this nation. Those unresolved conflicts were present, and became apparent, during the actual writing of the Constitution in Philadelphia in 1787. Article I, Section Eight, treats many of the points on which Jefferson and Hamilton remained in contention, one of the most important being the provision that "The Congress shall have power... to coin money, regulate the value thereof, and of foreign coin, and fix the Standard of Weights and Measures."

This crucial matter soon became one which was brought out into the open, after the adoption of the Constitution by the states, when Alexander Hamilton sought a government charter for a new central bank, the Bank of the United States. Thomas Jefferson, in a brilliant disquisition, published the principal and most cohesive arguments against the granting of the charter. Jefferson's expose failed to discourage the powerful influences from Europe which were determined to foist their central bank on the people of the United States, and the charter was granted. However, it subsequently was not renewed, a denial which resulted in the War of 1812, as the European bankers sought to force the American people to accept their foreign creature as a native creation. A Second Bank of the United States was then chartered, under the auspices of Nicholas Biddle of Philadelphia, who

was acting as the agent for the Rothschilds of Europe. This second bank also met its Waterloo, in the presence of President Andrew Jackson, a fiery patriot who swore to destroy the bank. He refused to renew its charter, which brought quick retaliation from the bankers of Europe, a financial crisis which became known as the Panic of 1837.

The struggle between the forces represented by Alexander Hamilton, and those represented by Thomas Jefferson, thus seesawed back and forth throughout the nineteenth century, with first one side, and then the other, gaining a temporary advantage. However, the proponents of the Hamiltonian monetary system gained momentum with the creation of giant corporations just after the Civil War, and with these resources, they stage managed another financial panic, the Panic of 1907, which stampeded the American people into calling for a central bank, which was to be misleadingly titled "the Federal Reserve System".

In 1948, the poet Ezra Pound, who was then being held as a political prisoner by the government of the United States, introduced me to the machinations of the Federal Reserve central bankers. I have since devoted almost a half century to chronicling its activities, with the ultimate goal, that once the people had this documented information, they could then begin to take remedial action through the powers enshrined in the Constitution. However, while I was occupied with this seemingly unending task, I failed to realize that the bankers themselves were aware that the Babylonian monetary system, which they had enshrined in their creation of an American central bank, could not go undetected forever, and that they had prudently devised a second Hamiltonian strategy, one which also had been covered in Article I, Section Eight of the Constitution. This strategy promised to bring the conspirators even greater power, and greater profits, than the Federal Reserve System itself. This new strategy was based upon the provisions of the Constitution, which are to be found, first, in the Preamble, that Congress shall have power to provide for the common defense and the general welfare of the United States, and repeated in Article I, Section Eight, "Congress shall have Power,.....to provide for the common defence and general welfare of the United States."

The language of this provision is crucial. For some fifty years, there has been a general understanding among the American people that the Constitution makes provision for "the general welfare of the

people of the United States". However, there has never been any such language in the Constitution. "The general welfare of the United States" means the preservation of the compact of the States, which was expressly drawn up by the Constitution. The welfare of "the people of the United States" was, according to that language, and is still, the province reserved to the individual States. Each American citizen is a citizen of a State of the United States. That State is a signer of the compact of the States which is the Constitution, and which forms the United States of America. There is no provision for "the United States" to take direct action concerning any citizen of the United States, because the United States has no people and no citizens. Only the States have citizens.

Nevertheless, the opportunity for misinterpretation and misunderstanding provided by this provision of the Constitution, which has become known as "the general welfare clause" gave the conspirators with the vehicle by which they have gradually, during the past sixty years, replaced the compact of the States with a new creation, the Welfare State. The Welfare State is a device which has been erected upon the premise that the government should take responsibility for the individual well being of each and every citizen of the United States, usurping this function from the States in order to create a totalitarian corporate state which now presumes, from its Washington fortress, to direct the most minute daily activities of each of our citizens. Not only has there never been any legal basis for any of these interventions, but the language of the Constitution, in the far-sighted provisions inserted by the Founding Fathers, expressly sought to forbid and prevent any such development at any time in our subsequent history. It is this Welfare State which is confidently predicted to ultimately replace the control of our nation by the machinations of the Federal Reserve System with an even greater and more iron-fisted control, that of the Welfare State. This present gigantic edifice is nothing less than a modern Tower of Babel, greater and more awe-inspiring than the original, but one which was built upon identical goals and aspirations of those who seek to control every act of every American, forever.

How were the conspirators able to visit such a calamity upon our nation? As usual, they set the stage with their scenery and plot which was designed to make such a denouement inevitable. Their vehicle

was the Stock Market Crash of Black Friday in 1929, followed by the Great Depression, an economic disaster which could have easily been remedied in a few months, but which the conspirators, ably assisted by their stage manager, President Franklin Delano Roosevelt, managed to prolong from 1931 until Pearl Harbor in 1941. During this period, the Federal Reserve System, in concert with the central banks of Europe, kept the Hamiltonian methods of monetary management in operation, and effectively prevented any economic recovery from taking place in this nation. How was this done? It was done by the Federal Reserve Board of Governors, who exercised daily control over the price of money and the quantity of money. By manipulating the interest rate, that is, the price of money, they controlled bank loans and the interest which those Americans who still had savings could receive for their investments. They controlled the quantity of money by the operations of the Federal Reserve Open Market Committee, which daily bought or sold on the Open Market many millions of dollars worth of government bonds, which themselves were created from nothing, more bookkeeping entries on the ledgers of the Federal Reserve System. By deliberately keeping the American people in the thrall of the Great Depression, and unable to benefit from any economic recovery, the conspirators not only maintained their monetary profits and their political power, they also delivered the American people into the hands of their new vehicle of national and eternal slavery, the Welfare State.

At no time was the new Welfare State ever advertised as such. Instead, it was promoted by President Franklin Delano Roosevelt, in his quavering, high-pitched voice, a delivery which was popularly supposed to be that of the "old aristocracy", as "the New Deal". In his Fireside Chats, radio speeches which went directly into every American home, Roosevelt assured the people that they were indeed to become the beneficiaries of his New Deal. They soon found out what the New Deal was. From the outset, it was the iron fist hidden in a velvet glove. The New Deal did indeed promise, and deliver, handouts of one kind or another, surplus food, which, instead of being destroyed in deliberate maneuvers by the commodities brokers to keep up prices and increase their profits, was, in some instances, actually delivered to needy families. Jobs were also created by the government, but in every instance, such jobs were "make work", non-productive work

which deliberately was invented to ensure that there would be no competition with the profit-making enterprises of the conspirators. One of these efforts, the Civilian Conservation Corps, was modeled after the Hitler Youth of Nazi Germany and the Fascist Corps of Mussolini's Germany. In fact, much of the New Deal, as one of its principal promoters, Gerard Swope, proudly pointed out, had been taken directly from the principles of the corporate state which had been set up in Italy. The New Deal rapidly became the new corporate state, erected upon the ashes of the Constitution. To institute its totalitarian decrees, a ragtail group of demagogues and traitors now descended upon Washington. Many of them were active espionage agents of the world Communist Party; others were fascists; still others were well groomed and personable agents of the international bankers, who had been educated at the most expensive schools, clothed by the most expensive tailors, and polished in the tenets of international society. In fact, many of the New Deal agents incorporated in their presence more than one, and sometimes all three of the aforementioned categories. They found no incongruity in living off the proceeds of investments or trust funds, engaging in the most surreptitious conspiracies of a world revolution, and at the same time, joining or dropping out of such entities as the Communist Party or the Fascist Party. Typical of these New Dealers was a lanky, wellspoken technocrat named Alger Hiss. He would later become the personal confidant of President Roosevelt at the White House, and still later, he would be chosen as president of the highly respected foundation, the Carnegie Endowment for International Peace, by Republican leaders Dwight D. Eisenhower and John Foster Dulles.

The leader of the New Deal task forces was himself a remarkable man, who, like, his predecessor, Woodrow Wilson, had been the personal protege of the international wheeler and dealer, Colonel Edward Mandel House. Franklin Delano Roosevelt grew up with the traditional silver spoon in his mouth, the spoon being provided through the enterprise of his grandfather, Warren Delano, who had become the most prominent opium dealer in Hong Kong. Although his grandson never personally participated in the world drug trade, he never turned his back on anyone who was so engaged, nor did he ever complain of any taint on the money which provided him with his opulent life style. Roosevelt himself rarely participated in the espio-

nage activities on behalf of Soviet Russia and the world Communist Party which had now become centered in New Deal Washington. Such responsibilities were turned over to his associates, such as Alger Hiss and Bella Moscowitz. When Franklin Delano Roosevelt was elected president, the unseen architect of this accomplishment, Bella Moscowitz, remained in the background. She had achieved the seemingly miraculous transformation of a helpless cripple in a wheelchair, an amiable aristocrat who had never worked a day in his life, but had always lived off of the dope proceeds left by his grandfather, into a vigorous, ambitious and personable national politician, who was subsequently to be transformed even more miraculously into the leader of the "Free World" during the approaching Second World War.

Before Roosevelt's inauguration, Bella Moscowitz was robbed of her moment of triumph, when she fell down the stairs. Whether this was one of those "accidents" to which such conspirators are prone was never investigated; however, she was promptly replaced as the head of the Washington espionage group by an even more devious and disreputable revolutionary, a Viennese emigrant named Felix Frankfurter. Frankfurter, who now took up his duties in Washington as the secret head of the ubiquitous Communist espionage group known as the Harold Ware cell, had been denounced by his mentor's own cousin, former President Theodore Roosevelt, as the most dangerous Communist in America. Throughout the 1930s, Frankfurter staffed the agencies of the new Welfare State with his own proteges, who were known as "the little Weenies", or "the Happy Hot Dogs". These bureaucrats, one and all, were first, under the discipline of the world Communist Party; second, dedicated to the erection of the new Welfare State; and third, sworn to the destruction and dissolution of the Constitution of the United States and the ending of all of the safeguards which the Founding Fathers had inculcated in that document to preserve the individual liberties of each and every citizen of the United States.

The immediate result was that any American who was contacted by one of these agents quickly learned that he was now dealing with a bureaucrat who refused to acknowledge that any American could still benefit from individual rights. Instead, the bureaucrats of the new Welfare State delivered decrees. Anyone who failed to obey them

fully would become a victim of force. The full powers of federal, state and local police, the courts, and even the National Guard would be called into play to enforce any and every decree of the Welfare State. Of course this was merely the first incarnation of what our present politicians fondly refer to as "the New World Order". They are very bashful about describing this new entity, but on the rare occasions when they do reveal some titillating aspect of its existence, they are quick to remind us that it is always based upon force. The New World Order does not intend to pamper any American citizen who refuses to abide by its dictatorial decrees.

Chapter Two

The Welfare State

Now that we have said goodbye to the Constitution, and accepted, however reluctantly, the ministrations of the new Welfare State, we can pause and conjecture that, however impersonal its agents might be, if they are truly dedicated to our general welfare, perhaps the Welfare State is not such a bad idea. This impression can be comfortably maintained until that unhappy day when you have your first encounter with any bureaucrat, whether an agent of a local, state or national agency. All of these officials are trained to operate in the same manner. First, they are not interested in any particular aspect of your problem. To the bureaucrats of the Welfare State, you are the problem, and, somewhere in their regulations, there will be instructions as to how they should solve that problem, that is, rules detailing what is to be done with you. You may be appalled to discover that this "solution" may not have any direct relationship to your dilemma, and that it may be devastating to your personal situation, but once the Juggernaut has been set in motion, there can be no turning back. Your most practical solution is to lie down and let the Juggernaut roll over you. As its great wheels are crushing your bones, you may briefly wonder, "Is this what welfare really means?"

An understanding of the present Welfare State reveals that the original concept, or its origins, were not necessarily designed to function in this sadistic manner. During the dawn of civilization, and throughout the epochs of the great cultures developed successively in Egypt, Greece, and Rome, there was no such thing as a welfare state, nor was there such a concept as welfare, that is, the existence of large numbers of people who, without working or contributing in any way to the economic life of the region, were supported simply because they were wards of the state. The economic conditions prevalent during those cultures precluded any such development, and the concept was an alien one. The state, in those centuries, was a recognizable and manifest edifice. Everyone in the state worked for and supported the state. Except for their subsistence, their production and their property were considered to be the property of the state, that is, the central

government, which, in most cases, was a monarchy or an empire. Although this may seem to be a deplorable condition, in fact, the wheel has now come full circle, and we have returned to that classical concept, that everything and everyone belongs to the state, the now vanished monarchs being replaced by the officials and the manipulators of the Welfare State.

Because the classical civilizations had no concept of "public" or "general welfare", they had no word in their languages for such a practice. Welfare originated among a people whom we might consider to be the last to be interested in such a concept, the ancient Vikings, who have popularly been portrayed in the history and literature of many nations throughout the world as bloodthirsty pirates. The Oxford English Dictionary tells us that not only is there no Latin or Greek root for the word "welfare", because they never envisioned such a mode of existence for any group within their realms. It was the Nordic people who gave us both the concept and the word for welfare. It comes from the Old Norse word, *velfard*, which appears in later derivations in the Swedish and Danish languages.

What did welfare mean in Old Norse? It meant just what it has meant ever since, a leave-taking, a fare thee well. Its secondary meaning is one of abundance and good cheer, desired for you by those who wish you well. And, in fact, the original meaning of welfare as it now applies to the personal liberties of the American people ironically bears out that Old Norse concept of good-bye. For Americans, the Welfare State means good-bye to personal liberties; good-bye to personal property; and good-bye to a personal future in an impersonal bureaucratic Welfare State. The individual can have no future in a state in which he cannot build up a private fortune, or leave any property to his heirs. The result is that the Welfare State itself has no future, for if the individual citizens have no future, then inevitably that state must fall. If this is the case, why are the manipulators of the Welfare State intent upon maintaining it and extending its already awesome powers? Because it is their vehicle, the instrument by which they can rob, despoil and forever enslave their subjects. Thus the manipulators, although they are well aware that the United States itself has no future under their dominance, are determined to maintain the Welfare State as their means of oppression of all of the people.

This cruel state is the ultimate perversion of the ancient Nordic concept of welfare, which originated in the social consciousness of this people, and in their determination that no one in their nation should be in want or go hungry, as long as anyone had food to share. Such a resolve also originates in the companion word, general, in the phrase "general welfare" as it appears in the Constitution. It comes from genus, meaning a class, a kind or a race, as opposed to the particular citizen or individual. Thus general welfare means welfare for all, not for carefully selected individuals. As we shall see, the Welfare State in its manipulation of the people, never intends welfare for all, but only for certain carefully chosen individuals or groups, who will receive such welfare only if they "qualify". The qualifications include, first of all, total submission, second, some special characteristic enabling them to "qualify", which may be economic, ethnic, or religious, and third, whatever interpretation the bureaucrat chooses to put on these "qualifications". One person may fully qualify, but be rejected because of some personal animus by the bureaucrat towards that person or his group. Another, who has not qualified, is allowed to receive all the benefits because of some personal decision by the bureaucrat. Such determinations cannot be considered criticisms of the Welfare State, because its primary function is to carry out the regulations. Although these regulations are laid down in very strict conformance, in practice they can be carried out on the local level by whatever determinations the officials decide to make. This is not injustice, or even malice, because the Welfare State functions, however unjustly or inefficiently, by its regulations.

In the early years of the United States as an independent Republic, the plight of poor or homeless people was never considered a matter of national concern. Not only was it not addressed by the federal government, but, by the provisions of the Constitution, it was reserved to the States to care for the needy as they saw fit. This legal precedent has never been amended by any legislative act. Nevertheless, at the beginning of Roosevelt's New Deal, the phrase "general welfare" still remained in the Preamble to the Constitution, and in Article I Section Eight. It may have been Felix Frankfurter himself, who, during his years as Dean of the Harvard Law School, had begun to fancy himself as an expert on "the law", who first noted the potentialities inherent in this phrase. Never mind that the language specifically failed to

mention the "welfare of the people of the United States" or that such matters had been reserved as a State power. Frankfurter and other such "legal brains" devoted their lives to rewriting or expunging such details from our national Constitution. The fact that the term "general welfare of the United States" was preceded in each instance in the Constitution by the phrase "for the common defense" was ample evidence that it was indeed the continuance of the national entity, and not that of any individual citizen, which was the proper subject of this provision. Legislation to provide a standing Army fulfilled the requirement to provide for the common defense, and also fulfilled the requirement to maintain the general welfare of the United States. Conversely, any legislative act which is intended to reward or compensate any particular individual or group is in violation of this provision of the Constitution, and cannot be maintained.

The legal foundations for this judicial opinion are impressive, although many dictionaries and legal authorities do not discuss the phrase "general welfare". Black's Law Dictionary cites it without comment pro or con. Webster's and other dictionaries do not mention it, nor does that most definitive source, the Oxford English Dictionary. In the Declaration of Independence, we find neither the term "welfare" nor "general welfare". Instead, the Declaration of Independence cites the right to life, liberty and the pursuit of happiness. Initially, the Founding Fathers did not consider it necessary to make any specific references to the rights of individuals in the Constitution, because the document was intended to refer only to the activities of a national entity, the United States. When George Mason refused to sign the Constitution until some provision was made for individual rights, a Bill of Rights was written and added as an appendage to the Constitution. However, notably lacking in the Bill of Rights was any reference to a citizen's right to receive welfare from the national government. Why did not the Founding Fathers include such a provision, if indeed it had been considered in their deliberations? Because the national government can legislate only for national entities. This is why the Constitution takes up such matters as foreign policy, the right to issue money, and other prerogatives of national sovereignty. The problems of individual citizens are a matter of State sovereignty. Only after a Welfare State has repealed State sovereignty, a process which began with the conclusion of the Civil War, can

legislation come out of Washington which deals with individual problems. The very meaning of the phrase "general welfare" means, not applicable to individuals. General, from genus, as we have previously pointed out, refers to class, kind, race. It does not mean the individual, the particular or the singular.

Despite the well-understood meaning of the phrase "general welfare", national politicians began to cast covetous glances at the tempting sight of individual rights shortly after the Civil War. The lawyers for the new giant corporations, who soon became politicians on the national level, began to rail against the iniquities of the rich, with their baronial mansions at Newport, the conspicuous consumption, which became the target of economists such as Thorstein Veblen, and against the injustices committed against the working man by their employers. In retrospect, we can see that each of these supposedly well-intended goals would become the foot in the door, in order to visit upon the newly emerging middle class all of the political and economic inequities which were yet the province of the poor.

Although the income tax became the goal of choice of these "muckrakers" and welfare careerists, child labor was also a favorite target. At the dawn of the twentieth century, the plight of child workers in the United States was a national disgrace. In 1904, there were two million child workers in the United States. Now that we have extensive legislation "correcting" this situation, in 1991 we have two million child workers in the United States. Although their working conditions may not be as primitive as they were in 1900, we cannot ignore the fact that they perform tedious and repetitive tasks at very low pay, which is disguised by such favorite terms of the welfare careerists as "vocational training".

One of the first attempts by the national government to assert its powers in the realm of individual welfare came with the Child Labor Act of 1916, the Keating-Owen Bill. On June 8, 1918, the Supreme Court declared that the Act was unconstitutional. (*Hammer v. Dagenhart*, 247 US 251). This decision discouraged the federal government from legislating welfare projects until the crisis atmosphere created by the Great Depression, which gave Franklin Delano Roosevelt the opportunity to enact "emergency" legislation. From the outset, the claimed Constitutionality of these acts was the general welfare clause of the Constitution. Apparently, during the subsequent debates in

Washington on the general welfare clause, neither the proponents nor the opponents of social legislation ever read the actual wording of the Constitution or cited its inapplicability to any individual or group. The welfare careerists, in their anxiety to set up their Welfare State, steadfastly refused to allow any cogent examination or discussion of their plans. However, both the origins and the ideals of the Constitution, if they had been introduced into such debate, would have closed the door on any further such legislation.

CHAPTER THREE

The Constitution

The concept of writing, or of needing, such a document as a constitution was the result of the development of a movement known as modern constitutionalism, which itself was a political movement based upon the concept of the dignity of man, and the rights of the individual. As such, it was a natural human response to the excesses imposed upon humanity during some five thousand years of history, during which suffering populations had endured the repression inflicted by Oriental despotism, by European absolute monarchies, and by dictatorial revolutionary tribunals. No matter whether the tyrants declared themselves to be republicans, democrats, or monarchists, the tumbrils rolled and the town squares ran red with human blood. As the result of these atrocities, the survivors insisted upon a political development, constitutionalism, which sought dual goals, first, the restrictions upon the awful powers of the ruler, and second, the consensual power of the ruled. Throughout its history, modern constitutionalism has emphasized the consensual factor as its primary goal, a fact which is seldom mentioned in our universities. Professors, who by the nature of their task, to maintain discipline in the classroom, are autocratic, tend to be fascinated by dictators and warlords, and, conversely, they ignore amiable, kind-hearted rulers during whose period of government the people are happy, prosperous, and no outrages, massacres or wars of aggression occur.

Modern constitutionalism has always opposed the use of force in government. In opposition to this concept, another ideal of government was proposed during the Age of Enlightenment, the Social Contract. In his basic work, *Leviathan*, Thomas Hobbes notes that men have contracted with each other to set up a common sovereign for their self-preservation. In so doing, Hobbes claims that they must relinquish many rights, which opens the door for an absolutist government. John Locke refined Hobbes' concept by redefining the nation as a civil society, which is organized for the common protection of life and property. He included the all important provision that, if the system became too abusive, the citizens had the right to resist. Other

leading English thinkers elaborated on this concept, notably Sir Edward Coke, whose Petition of Right in 1628 posed the first serious challenge to the absolutist monarchy of England. His petition, presented in response to the absolute reign of King Charles the First, initiated opposition to the King which finally, although Coke had played no part in this, led to his imprisonment and subsequent beheading.

Historians in the United States have given insufficient recognition to the importance of Coke's Petition of Right as the first step in what later became the demands of the American colonists for independence, and which is now recognized as the historical predecessor to our Declaration of Independence. Bankers in Amsterdam, who had been plotting against the English throne, were encouraged by Coke's activities, and launched their campaign to unseat King Charles and replace him with the regime of Oliver Cromwell. When Cromwell's rule failed to survive after him, the bankers bided their time until they found another and more likely candidate, William of Orange, whom they financed to overthrow King James II of the Stuart monarchy. He became King William III of England, and soon thereafter, he granted the charter of the Bank of England in 1694, one of the most significant dates in modern history. The advent of William III as the protegee of the Amsterdam bankers marked the end of the absolute monarchy in England, when William signed the Declaration of Rights on February 13, 1689. This concession was followed by an even more meaningful gesture of the monarchy, the Act of Succession, which established the concept of the "limited monarchy" in England, by making the throne dependent upon annual grants from Parliament. This Act has hardly condemned the English monarchs to penury, as the present Queen Elizabeth is known as the richest woman in the world, with a personal fortune of \$15.8 billion. This astounding sum has been amassed while the English rulers used the annual grants from Parliament to maintain their establishments, while their own tax-free income and investments, such as their stock in the Bank of England, continued to increase exponentially.

Such riches are far beyond any concept of the Social Contract, which pertains only to those citizens who have no prospect of amassing fifteen billion, or even a fortune of one billion, but who will continue to pay a substantial portion of their earnings in taxes to maintain their betters in the living style to which they have become

accustomed, during ever more "democratic" regimes. The philosophical concept of the Social Contract features two elements, the *pactum unionis*, the agreement which forms the body politic, and the *pactum subjectionis*, which organizes the political authority into a constitutional government. However, neither of these pacts in itself can create what we know as the modern State, an institution which is known as "the mortal god" because it has the capacity to be killed by its creators. Constitutionalism, as a modern political movement, maintained as its goal the ability to restrain and even to abolish the State, when it failed to function in the best interests of its citizens.

It is this vulnerability of the modern State, which always faces the possibility of being amended or ameliorated out of existence, which has given rise to a less vulnerable entity, the Welfare State. The Welfare State, as a conspiratorial entity, envisions its own immortality for a number of reasons - first, all citizens must become dependent upon it; second, all citizens must become submissive to it; and third, all citizens must give up any hope that the Welfare State will ever be overcome or disappear. These draconic conditions are made more acceptable by the disguising of the forcible aspect of the Welfare State. It is always presented as the mailed fist, hidden in a velvet glove, which is prominently labelled "Caring and Compassion".

The antithesis of this state is the American Republic, which came into being largely because of an unrecognized force in its creation, the Huguenot immigration. Many thousands of Huguenot refugees had come to America from France, fleeing a relentless religious persecution. In 1581, the Huguenots had published a definitive treatise, *Vindiciae Contrat Tyrannos*, which posited a twofold contract, one between God and the people, which bound the people to obey God's Will, and one between the people and the prince, which bound the people to obey their prince, but only as long as he continued to obey God's Law. Should he fail to do this, the contract authorized the people to resist him.

In constitutional nations, the Social Contract itself has increasingly become more Social and less Contract; that is, the Social aspects, the claims of the party of the first part, the Welfare State, more and more take precedence over the contractors, the people, the party of the second part, whose claims receive less and less attention. In the United States, the Welfare State has made its social contract the law

of the land, by the simple expedient of banning constitutional law from the courts and replacing it with the law merchant, which is also known as the law of contract, or admiralty law. These legal concepts are not so much interchangeable, as they might seem from the listing here, as they are replaceable and successive, in American litigation. The law merchant, or civil contract, carries no punitive penalties, but, when the Welfare State brings an American citizen into court on charges of having violated some part of the Social Contract, he is first denied the protection of Constitutional law; he is then tried and convicted under the law of contract, the Welfare State claiming that there exists a binding contract between itself and the citizen, through one or more provisions of the welfare activities, the payment of social security, which involves a claimed payment of income taxes to the federal government, a payment which is invalidated by the fact that the federal government has no citizens as components, and thus has no direct jurisdiction over them. Because the violation of a civil contract cannot result in the invoking of criminal penalties, the Welfare State, at the time of sentencing, further replaces the civil law of contract with admiralty law, which, as the King's Law aboard a ship at sea, involved criminal penalties up to and including the death penalty. Our federal judges, with such penalties at their disposal, feel that they are being overly kind in not sentencing tax offenders, and other persons who have violated some decree of the Welfare State, to death, and that they should be grateful to be let off with a twenty years to life term of imprisonment. Thus the American citizen, appearing in one of our courts, comes into the jurisdiction of a four tier legal system, one which in the first tier denies him the protection of the Bill of Rights and other Constitutional provisions; in the second tier, the citizen is charged with the violation of a civil contract with the Welfare State; in the third tier, he is made to defend himself as an Artificial Person or private corporation; and in the fourth tier of this judicial operation, he is convicted and sentenced under the criminal penalties of admiralty law, whereupon, no longer an Artificial Person, he is hauled off as a physical body, a living American citizen, to endure his physical punishment in prison. At no time during any of these successive judicial operations and entities is the citizen informed as to what is going on, neither the judge, the prosecutor or his defending attorney seeing fit to advise him of his situation, or that the

court is solely concerned with pursuing his obligation to the Welfare State, rather than securing him any protection or rights against the encroachment of the Welfare State. The result is that when the cell door slams against him, he is overcome by the despair resulting from his realization that he has been victimized by a grave injustice, and that he can look for no assistance or any appeal of the verdict which has been rendered against him. This Kafkaesque situation is the result of one thing, and one thing only, that when the protection of the Constitution is removed from an American citizen, no other protection remains to him, nor can he look anywhere for assistance. It was just this situation which gave rise to modern constitutionalism as a political movement. When we lose our constitutional safeguards, we once again become subjects of an absolutist government. It was this goal which the conspirators sought at the conclusion of the Civil War, when the Fourteenth Amendment claimed to have revoked and revised the requirements of American citizenship, and to have set up a new State power, in which all citizens are "subjects" of a national government. In effect, the Fourteenth Amendment sought to revoke the Bill of Rights, and it is often cited to that effect, particularly by the justices of appellate courts and the Supreme Court of the United States, when they uphold the admiralty law punishment of an American citizen who has claimed protection under the Bill of Rights against some pronouncement of the Welfare State. This dilemma has come about because of the very origin of the United States. Our Constitution was not a Social Contract between a government and its people. It was a Political Compact between the individual States, which were inhabited by private citizens of each State, to create a national entity to be known as the United States of America. Subsequent legal decisions have resulted in a strange dichotomy; one in which the federal government, seated in the District of Columbia, is recognized as a distinct political entity which governs the collective political States whose agreement created it, and two, an all powerful and absolutist federal government, presently operating as the Welfare State. Because this Welfare State now not only operates on a national level, but also on a state and local level, any official issuing a decree of the Welfare State on any of these three levels now has the full authority of the national government to enforce that decree against the "subjects", the Fourteenth Amendment citizens of the several States,

who no longer have any rights as State citizens, and who are subjected to the full authority of the Welfare State on a national, state or local level. By this means, the Welfare State has now become the instrument of Oriental despotism, which denies to American citizens any and all amelioration of their social or political condition, which was formerly guaranteed to them by the Constitution of the United States.

CHAPTER FOUR

The Welfare State as Criminal Syndicalism

"Wellness" has always been a concern of the people, not merely a state of being well, of maintaining good health, but also of being well-bred, well-informed, and a host of similarly rooted words, which take up some thirty oversized pages in the Oxford English Dictionary. These words ran the length of the alphabet, from well-accustomed to well-wrought. The desire for wellness has never been confined to the individual for himself, but has usually been extended to his community, to his State, and to his nation. It is this desire which we now call "social consciousness", and which, extended solely through the use of force, by a compulsory government, becomes Socialism, or the Welfare State. As we have pointed out, it was the Nordic people who first exhibited such a social consciousness, and who coined the word for welfare, the well-being of all, as contrasted to the lone well-being of the individual. Socialism, with its compulsory "sharing" insists that personal assets must be confiscated, so that they can be redistributed to those in need. It has become a truism that in this process, the Welfare State retains and consumes the lion's share of the confiscated assets, so that very little trickles down to those who need it. Thus Socialism becomes a perverted form of a genuine feeling of social consciousness, which we see in its most virulent form, not in the Slavic or Oriental countries, but in the Nordic nations. It is Sweden, with its cradle to the grave form of Socialism, which exhibits every excess of the Socialist philosophy today. The United States, which was heavily settled by Nordic peoples during the nineteenth century, and by their collateral relatives, the German and Anglo-Saxon peoples, now, passively follows that cradle to the grave philosophy, while its people, because of this Nordic heritage, accept without protest the most outrageous aggressions of the Welfare State.

This social consciousness can be traced far back in the history of these peoples. In England, as a government concept, it made its first appearance in England during the reign of King Edward III, in 1349. It was a welfare concept which became known as the Statutes of Laborers. Since the beginning of history, there have always been

beggars and homeless people in many populations, persons who, by one mishap or another, had lost their possessions. In the Orient, these unfortunates have survived on individual acts of charity, rather than on government handouts. In Europe and America, their plight has become the subject of government intervention. Scholars for centuries have written on this problem. As early as 1526, a Spanish humanist, Jean Louis Vives, wrote a tract, *De Subventionem Pauperum*, which called for the alleviation of the plight of the poor. This work had considerable influence throughout Europe, and was followed by many other demands that the problems of the poor must be met. However, the economic problems which created these situations usually proved too intractable to allow a solution. Charity has always been one of the virtues. It stems from the Old French word *charite*, meaning Christian love, which itself came from the Latin word, *caritas*, which meant, initially, God's love for man, and secondarily, man's love of God and of his neighbor. Thus charity, as well as welfare, was seen primarily as a religious impulse, rather than as a governmental concern. The Constitution, with its general welfare clause which referred only to the preservation of the United States, was in harmony with this concept, and was so observed until the New Deal of Franklin Delano Roosevelt.

Although the United States had remained a Jeffersonian democracy until 1933 and the advent of the New Deal, the Hamiltonian principles of monetary control had been steadily gaining ground since the end of the Civil War. The passage of the Federal Reserve Act by Congress in 1913, and the Presidential signature of Woodrow Wilson which gave it the power of law, represented a new high water mark for the Hamiltonians. With their new monetary power, that is, the control of the money and credit of all the people of the United States, they now moved to extend their new powers to the courts and to the national government. Because the banking powers always operated *sub rosa*, as a conspiratorial group, there has never been a "Bankers' Party" in the United States. They have preferred to operate from behind the scenes, using first one party and then another, to further their program. The maintaining of secrecy and the use of agents who never acknowledged their hidden affiliations in the promotion of Hamiltonian principles to the detriment of Jeffersonian ideals removed these machinations from the accepted political process, and relegated them

to the area of criminal syndicalism. It is well established in law that the operations of a criminal syndicate deny the equal protection of the laws to citizens. In order to guarantee the equal protection of the laws, the state must act against criminal syndicalism. The present statutes offer ample legal justification for such action.

Corpus Juris Secundum 16: Constitutional Law 213(10) provides that "The Constitutional guarantee of freedom of speech does not include the right to advocate, or conspire to effect, the violent destruction or overthrow of the government or the criminal destruction of property. Section 214 further states: The Constitutional guaranty of the right of assembly was never intended as a license for illegality or invitation for fraud - the right of freedom of assembly may be abused by using assembly to incite violence and crime, and the people through their legislatures may protect themselves against the abuse."

Thus the operation of supra-governmental organizations such as the Council on Foreign Relations, or other syndicalist operations such as the tax exempt Rockefeller Foundation is not only subject to the laws against fraud (because their charters claim they are engaged in public philanthropy) but also the laws against criminal syndicalism, because these organizations never state what their underlying purpose is, where their secret allegiances really lie, and why they have chosen the direction of their syndicalism. We employ the phrase "criminal syndicalism" because a syndicate itself can be a legal operation. It is only when it seeks illegal goals by illegal means that it becomes a criminal matter. The Oxford English Dictionary tells us that the word syndicate stems from "syndic" It then defines a syndic as "an officer of government, a chief, magistrate, a deputy." In 1601, R.Johnson wrote in Kingd and commonw of "especial men, called Syndiques, who have the managing of the whole commonwealth".

During my investigation of such organizations as the Rockefeller Foundation and its affiliates or subsidiaries, such as the Russell Sage Foundation and the Carnegie foundations, I found that these groups are indeed carrying out a program of managing the entire commonwealth of the United States. However, they are doing so secretly, above and beyond the established agencies of government, and for purposes which they refuse to reveal. They have formed a super-government, which acts in secret, and thwarts the protections guaranteed the American people by the Constitution of the United States.

The OED further defines a syndic as "a censor of the actions of another. To accuse." This is an accurate definitions of the functions of a Welfare State bureaucrat. He does not merely intervene in your affairs on behalf of the Welfare State. He acts to censor you, and punish you, for personal views or actions which are no offense under the Constitution, but which violate some decree of the Welfare State. The bureaucrat brings the accusation, he then tries you, and delivers the sentence. In many cases, he is entrusted with your punishment as well, which may be the deprivation of same grant, or a term of imprisonment.

Hamiltonian origins of criminal syndicalism may be found in a further OED definition of a "syndicate", "A combination of capitalists and financiers entered into for the purpose of prosecuting a scheme requiring large sources of capital, especially one having the object of obtaining control of the market in a particular commodity." This could hardly be more precise in its description of the conspiratorial meetings and subsequent legislative operations in Congress to give the Hamiltonian central bankers "control of the market in a particular commodity", that is, money. This scheme required large sources of capital, which came from the Bank of England and its Wall Street minions, to set up the privately owned Federal Reserve banking system under the guise of a quasi-government agency.

Corpus Juris Secundum 22 A points out that "In a prosecution for being a member of an organization which abets criminal syndicalism, evidences of crimes committed by past or present members of the organization in their capacity as members is admissible to show its character. *People v. LaRue*, 216 P 627 C.A. 276." Such prosecution could bring in evidence of any member being engaged in international conspiracies to inflict wars, revolutions or financial panics upon entire groups of people. Since these activities are constant within the secret meetings of these criminal syndicalist groups, if evidence is not available exposing their arcane endeavors, the circumstantial evidence of events transpiring following the meetings of such groups would be ample to obtain convictions in the courts.

Corpus Juris Secundum 22, Criminal Law 185 (10c) on Conspiracy and Monopolies, orders that "Where the statute makes mere membership in an organization formed to promote syndicalism a crime, without an overt act, this offense is indictable in any county into

which a member may go during the continuance of his membership, and this is true although such member comes into a county involuntarily. *People v. Johansen*, 226 P 634, 66 C.A. 343."

Corpus Juris Secundum 22, Criminal Law sec 182 (3) states, "A prosecution for conspiracy to commit an offense against the United States may also be tried in any district wherein any overt act in furtherance of the conspiracy is performed. *U.S. v. Cohen* C.A.N.J. 197 F 2d 26."

This means that any publication of one of these criminal syndicalist operations, sent into any county in the United States, or the appearance of any member of such an organization in any country the United States, gives the officials of that county the legal authority to bring charges against the organization or any member thereof, whether present or active in that country or not.

Very broad authority also is found in *Corpus Juris Secundum* 46, Insurrection and Sedition, sec. 461 (c). "Sabotage and syndicalism aiming to abolish the present political and social system, including direct action and sabotage." Not only individuals, but businesses and corporations which subsidize or otherwise participate in the activities of any criminal syndicalist operation, are fully liable. *Corpus Juris Secundum* 46, sec 462 (b) says, "Statutes against criminal syndicalism apply to corporations as well as to individuals organizing or belonging to criminal syndicalist society; evidence of the character and activities of other organizations with which the organization in which the accused is a member is affiliated is admissible." Because of the close interlocking of the officials of many criminal syndicalist operations within the United States, indictments of these officials can be a simple matter.

It is now necessary to clarify the introduction of criminal syndicalist control into a legal monograph on the general welfare clause of the constitution of the United States. The establishment of the Welfare State became a political reality through the very criminal syndicalist operations which are covered in the above statutes. In order to enact the sweeping recommendations of the New Deal, the conspirators found it necessary to go above and beyond the established legislative processes, and to operate through clandestine forces. Their initial accomplishments, during the famous Hundred Days of the New Deal, were invalidated by the decisions of the Supreme Court, a

development which required that the New Dealers embark upon a new mode of operations. From that time on, the Washington bureaucracy functioned as a criminal syndicalist structure.

From the inauguration of Franklin Delano Roosevelt as President on March 4, 1933, Washington underwent a not so subtle transformation. The media was quick to rhapsodize about the new era in government. In *Collier's* magazine, Ray Tucker hailed the new regime as one which had transformed Washington "from a placid, leisured, Southern town, with frozen faces and customs, into a gay, breezy, sophisticated and metropolitan center." Although the term gay did not have its later meaning in the early 1930s, there was no doubt that Washington was well on the way to becoming a "gay" center. Arthur Krock, Washington correspondent of the *New York Times* reported that "They are a merry group, the New Dealers. They like singing, dancing, and a fair amount of drinking." Many of the wealthiest families in the United States were represented in the highest echelons of the New Deal, from Franklin D. Roosevelt himself, to his close associates, such as Francis Biddle, Averell Harriman and his sister, Mary Rumsey, Lewis Douglas, several of the Rockefellers and Whitneys, and other blue bloods, many of them members of the super secret Skull and Bones Society of Yale.

There was no doubt that they had come to Washington to change things, in fact, to change everything. We might wonder why the super rich would wish to see such revolutionary alterations in the American way of doing things, until we realize that it was these same families who had set up the great foundations, who had been bank rolling the Communist system in Russia since well before 1900, and who were determined to introduce the American people to a state imposed Welfare system which would bring to a close the era of constitutional government in the United States. This was the criminal syndicalist system at the top. On a lower level, it consisted of dedicated members of the Communist Party, who were placed in key roles in federal agencies by Felix Frankfurter through the Harold Ware cell. Harold Ware himself had recently returned from the obligatory service in the Soviet Union, where his work had earned praise from the great Lenin himself. Ware was the son of the famous agitprop operative, Ella Reeve Bloor. After he returned to Washington to take charge of Soviet

espionage there, his top secret meetings were held in his sister's music studio on Connecticut avenue. The Department of Agriculture became the center of Communist intrigue in Washington, where the power of the infiltrators was soon proven by the issuing of a new ruling - the Department of Agriculture issued a directive that "A man in the employ of the Government has just as much right to be a member of the Communist Party as he has to be a member of the Democratic or Republican Party." This sentiment was echoed by the President himself on several occasions.

Because of the financial crisis which had affected every American family, Roosevelt was able to rush through a number of important measures during his first days in office. The well publicized Hundred Days had been adopted as a direct imitation of Napoleon's triumphs during his Hundred Day seizure of power. The new regime wished everyone to know that a new emperor had arrived in the nation's capital. The Bank Holiday, which was called the Emergency Banking Act, was passed on March 9; the Economy Act was passed on March 20; on March 31, the Civilian Conservation Corps was established; on April 19, the gold standard was abandoned; on May 12, the Agricultural Adjustment Act was passed, which established a national agricultural policy, with an additional amendment which conferred on the President the powers of monetary expansion; that same day, the Emergency Farm Mortgage Act was also passed; on May 18, the Tennessee Valley Authority Act was passed; on June 5, the gold clause in public and private contracts was abrogated; and on, a single day, June 16, four major measures of the new Welfare State were rushed through Congress - the National Industrial Recovery Act, the Glass-Steagall Banking Act, the Farm Credit Act, and the Railroad Coordination Act. Roosevelt now had a rubber stamp Congress, which, despite some murmurings from uncommitted members, gave him a comfortable majority in the approval of these measures.

In December of 1932, Harry Hopkins had sent a letter to Roosevelt calling for the establishment of a federal welfare agency. When he received no reply, he had Frances Perkins obtain a personal audience for him. Roosevelt listened to his plan, and on March 21, 1933, he sent to Congress a bill to establish a Federal Emergency Relief Administration, with an initial budget of \$500 million. Within

a few weeks, it had passed both the Senate and the House. Hopkins then set up a Civil Works Administration, which soon had four million people in its employ.

These rapid-fire successes boded well for the future of the Welfare State. However, the acts of a supine Congress, and the refusal of its members to debate the constitutional merits of these measures, did not go unnoticed. Soon, the emergency bills were to come before the Supreme Court, where the Jeffersonians would make one last stand before the new Juggernaut rolled over them.

CHAPTER FIVE

THIS HONORABLE COURT

Despite the prestige and the power of the backers of the New Deal, they had failed to secure one bastion in Washington, the power brokers who were to be denounced as "the Nine Old Men". The Justices of the Supreme Court were in fact vigorous and active in their deliberations, particularly those who most vehemently opposed the New Deal enactments. Within a few months, the Supreme Court had struck down such emergency measures as the power of the President to control the flow of oil under authority of the NRA, (*Panama Refining Co. v. Ryan*, 293 U.S. 388); the Railroad Retirement Act (*Railroad Retirement Board v. Alton Railroad Corp.* 295 U. S. 330), and the National Recovery Administration (*Schechter Poultry co. v. U.S.*, 295 U.S. 495).

On January 6, 1936, the Supreme Court declared the Agricultural Adjustment Act unconstitutional because the AAA processing taxes were to support a system of federal regulation of agriculture which was outside of the powers which the Constitution had delegated to Congress. The Court also held in this decision that the general welfare clause of the Constitution was not an independent grant of power, but was directly linked to taxation. Within a few months, Justice Cardozo was to reverse this decision, and to give the federal government full authority to proceed with the establishment of the Welfare State.

In June of 1936, the Supreme Court, in a 5-4 decision, nullified a New York statute which had fixed a minimum wage standard for women in industry (*U.S. v. Butler*, 297 U.S. 1.) This proved to be the last setback of the Welfare State in the Supreme Court. A new wind was soon to blow through that hallowed institution. On Feb. 5, 1937, President Roosevelt, flushed with the success of his overwhelming re-election victory, delivered a special message to Congress, in which he called for packing the Supreme Court, that is, increasing the number of judges on the supposition that its present members were impaired by their age, the nine old men. Although the court-packing plan never materialized, the threat had its effect. Never again would the Supreme

Court vote 5-4 against a Welfare State measure. Instead it would now approve them by a series of 5-4 decisions.

On March 29, 1937, the Supreme Court reversed its recent ruling on the minimum wage law, the first of a long line of 5-4 decisions in favor of the New Deal. The new majority was led by Justices Stone and Cardozo. Cardozo held the traditional "Jewish" seat on the Supreme Court which was actually a Zionist seat established by the nation's most prominent Zionist leader, Justice Louis Brandeis. After Cardozo, who served until 1939, this seat was given to Felix Frankfurter. In three historic Social Security cases, Cardozo in a majority opinion claimed that the general welfare clause of the Constitution gave the federal government the power to tax and spend for the general welfare. We had now entered the political era of Harry Hopkins, who coined the political formula of the New Deal, "Tax and tax, spend and spend, elect and elect."

Justice Cardozo's interpretation of the general welfare clause represented the final triumph of the Hamiltonian philosophy of government over that of Thomas Jefferson. In the Annotated Constitution, we find that Article I, Section Eight of the Constitution, is annotated as follows:

"SPENDING FOR THE GENERAL WELFARE - The grant of power to "provide * * * for the general welfare" raises a two-fold question: How may Congress provide for "the general welfare" and what is "the general welfare" which it is authorized to promote? The first half of this question was answered by Thomas Jefferson in his Opinion on the Bank as follows: "*** the laying of taxes is the power, and the general welfare the purpose for which the power is to be exercised. They (Congress) are not to lay taxes ad libitum for any purpose they please; but only to pay the debts or provide for the welfare of the Union. In like manner, they are not to do anything they please to provide for the general welfare, but only to lay taxes for that purpose." Jefferson's opinion forbade the Congress to enact any of the social legislation which was later produced by the New Deal. (Writings of Thomas Jefferson, III, 147-149, Library Edition, 1904). The commentary continues; "The clause, in short, is not an independent grant of power, but a qualification of the taxing power. Although a broader view has occasionally been asserted (James Francis Lawson, *THE GENERAL WELFARE CLAUSE*, 1926), Congress has not

acted upon it and the Courts have had no occasion to adjudicate the point. “

The Annotated Edition of the Constitution continues the discussion as a point of contention between Hamilton and Madison. “Hamilton v. Madison. With respect to the meaning of the ‘general welfare’ the pages of the Federalist itself disclose a sharp divergence of views between its two principal authors. Hamilton adopted the literal, broad meaning of the clause. (The Federalist Nos. 30 and 34). Madison contended that the powers of taxation and appropriation of the proposed government should be regarded as merely instrumental to its remaining powers, in other, words, as little more than a power of self-support. (Federalist No. 41).

“Triumph of the Hamiltonian Theory. The scope of the national spending power was brought before the Supreme Court at least five times prior to 1936, but the Court disposed of four of them without construing the ‘general welfare’ clause. In the Pacific Railway Cases and Smith v. Kansas City Title and Trust Company, it affirmed the power of Congress to construct internal improvements, and to charter and purchase the capital stock of federal land banks, by reference to the powers of the National Government over commerce the post roads and fiscal operations, and to its war powers. Decisions on the merits were withheld in two other cases - Massachusetts v. Mellon and Frothingham v. Mellon - on the ground that neither a State nor an Y individual citizen is entitled to a remedy in the courts against an unconstitutional appropriation of national funds. In United States v. Gettysburg Electric Railway Co., however, the Court had invoked ‘the great power of taxation to be exercised for the common defence and the general welfare’ to sustain the right of the Federal Government to acquire land within a State for use as a national park. Finally, in United States v. Butler, the Court gave its unqualified endorsement to Hamilton’s views on the taxing power.”

None of these legal opinions has ever addressed the crucial text of the Constitution itself. Article I, Section Eight provides for “the general welfare of the United States” but offers no authority to enact any measure for “the people”, either collectively or as individual citizens. Even the Nine Old Men never squarely faced up to or commented upon this all important wording of the Constitution. During the all too brief period when the Supreme Court was actively

challenging the measures of the New Deal, it ruled unanimously to throw out the National Recovery Act, which was Roosevelt’s greatest defeat in his entire political career. This was followed by the Court’s ruling, headlined in the New York Times on Dec. 1, 1935, COAL CONTROL HELD INVALID By Court. GENERAL WELFARE DENIED: “The attempt by Congress to control the bituminous coal industry through the Guffey Act was declared unconstitutional by a Federal court here today because the tax levied on non-conformers to the coal code is ‘a penalty to coerce the plaintiff to submit’ to regulation. As to the general welfare contention, Congress has no specially assigned power under the Constitution to make provision for the general welfare, the court held. ‘The general welfare of the people can only be promoted, and can best be served, by a prudent and salutary exercise of the powers specifically granted in the Constitution. Encroachment upon the wisely reserved powers of the States does not promote the general welfare, but would tend inevitably to the destruction of local authority and would sound the death knell of democratic government.”

The New York Times on January 7, 1936 carried another banner headline, “Supreme Court Finds AAA unconstitutional 6-3. Verdict Dooms Other New Deal Laws. by Arthur Krock, Washington Correspondent. Jan. 6. The Supreme Court by a two-thirds majority vote today demolished the Agricultural Adjustment Act as completely as last year’s court destroyed the NRA.”

Further commentary quoted the court’s decision that “the government relies upon Article I Section Eight of the Constitution, which contains the taxation and general welfare clauses. We live under a dual form of government, Federal and State. The Federal Union is a government solely of delegated powers. The States have all other. Agriculture, as the Court has often said about mining and manufacture, is a purely local activity. Therefore, the powers of Article I Section Eight do not apply. Justice Story pointed out that the general welfare clause could be construed to convey unlimited Federal power. In this case the government has asked the court to say that Congress at all times decides what is the general welfare. The AAA is unconstitutional for another reason. It invades the rights reserved to the States. The regulation of agriculture is beyond the enumerated powers of Congress.”

The court decision further quotes Justice Story, as follows, "the Constitution was, from its very origin, contemplated to be the frame of a national government, of special and enumerated powers, and not of general or unlimited powers. (Sec. 904, Story's Commentaries on the Constitution, 5th ed. v.1). A power to lay taxes for the common defence and general welfare is not in any sense a general power. It is limited to those objectives. (Ibid. Sec 922)"

The Times follows these quotes with a quote from Alexander Hamilton; "Hamilton states in his well-known report on manufactures, that the purpose must be general, and not local. (Works v.3, p.250).

The Supreme Court's decisions invalidating the most important goals of the new Welfare State brought howls of anguish from Roosevelt's supporters in the unions and in the Communist Party. Veteran union leader William Green, head of the American Federation of Labor, demanded that the Court be curbed, after he heard the decision invalidating the NRA. The New York Times noted, June 7, 1935, that "Rep. Keller of Illinois introduced a constitutional amendment which would confer blanket power on Congress to make laws 'which it judges necessary for the general welfare of the people'. Such an amendment, Keller said, would prevent the Supreme Court from invalidating laws for welfare." In fact, a few months later, the Supreme Court began a long process of reversal of its opposition to New Deal measures, without the pressure of a Constitutional amendment.

On November 30, 1935, Alfred Lilienthal had a long letter published in the New York Times, in which he stated, the Supreme Court of the United States has time and again declared that this section of the Constitution, Art.I, Section 8, cannot sustain any broad legislation for general welfare, and is merely a limitation on the taxing power. Justice Story, in his Commentaries, Sec. 923, says, 'To lay taxes to provide for the general welfare of the United States is to lay taxes for the purpose of providing for the general welfare. For the laying of taxes is the power and the general we are the purpose for which the power is to be exercised.' Like Mr. Jansen, Alexander Hamilton sought to derive from Art.I Sec 8 broad Congressional power to legislate for any and every object which might benefit the people, but on six separate occasions this view was refused by the

Constitutional Convention. As late as 1926, the present Chief Justice, speaking before the Federal Oil Conservation Board, said, 'It has been urged that the Congress has the power to exercise any power that it might think necessary or expedient for the common defence or the general welfare of the United States. Of course, under such a restriction, the Congress of the United States would cease to be one of enumerated powers, and those powers of the States would be wholly illusory, and would be at any time subject to be controlled in any manner by the dominant Federal will exercised by Congress on the ground that the general welfare might generally be advanced. That, however, is not the accepted view of the Constitution."

On November 15, 1935, the editorial page of the New York Times carried a statement under the heading of "GENERAL WELFARE", "The Supreme Court has already decided that the article in question contains no grant of power to Congress or to any agency of the Government."

It would seem that no legal opinion could be more direct than that, particularly as it was based upon the writings of Justice Story and other prominent Constitutionalists. A further letter in a series which had been prompted by these observations appeared on the New York Times editorial page on Nov. 17, 1935, in a letter from Boyd C. Darling. Mr. Darling wrote, "Hamilton said that Congress had the power under the Constitution to tax for a purpose outside the circle of its enumerated powers. Madison said it did not have the power. Who was right, Hamilton or Madison? Twice the Supreme Court has been asked to decide. Twice it has declined". Mr. Darling then cited the cases, 143 U.S. 695, and 163 U.S. 433.

The New York Times concluded this series of letters with an editorial on June 1, 1937, pointing out in relation to the above cited opinions, that, "Those who hold that the general welfare clause is a full warrant to Congress to enact any legislation it may deem in the national interest, that it is an additional power, has received no support in any of the decisions."

Although these citations seemed to point out that those who sought the most liberal interpretation of the general welfare clause of the Constitution were doomed to defeat, in fact, events soon proved just the opposite. From this day on, the Supreme Court began its rubber stamp approval of New Deal measures, and the Congress was

able to proceed full speed ahead with its version of the Welfare State. President Roosevelt opened the campaign with another Fireside Chat, in which he inferred that the Constitution actually authorized the Congress to enact legislation "for the general welfare of the people of the United States". This deliberate misquotation brought a fiery response from Governor Hoffman of New Jersey, who was quoted in the New York Times, May 2, 1937 as follows: 'Governor Hoffman of New Jersey charged that President Roosevelt's interpretation of the Constitution in a fireside chat would permit Congress to exercise any power it deemed to be for the general welfare and would put such action beyond judicial decision.' The Governor denounced Roosevelt's claim as unconstitutional, and called for the establishment of State Committees of Correspondence "to take up the problem of averting the threat of the creation of a single authoritarian government." The New York Times noted that Governor Hoffman accused Franklin D. Roosevelt of a false interpretation of the general welfare clause. "Governor Hoffman accused Mr. Roosevelt of deliberately omitting essential words from the text of the Constitution to establish a false premise upon which to base a false conclusion."

Headlines on the front page of the New York Times on May 25, 1937 heralded the official inauguration of the new Welfare State. "SUPREME COURT BACKS SECURITY ACT AND JOB INSURANCE 5". Roosevelt now had his Supreme Court majority in favor of the New Deal. The Times quoted the majority opinion of Justice Cardozo, "the concept of the general welfare clause cannot be static, he held." Justice McReynolds dissented, stating that "The Constitution looks to an indestructible union composed of indestructible states." William Green of the AFL voiced a contrary opinion, calling the decision in favor of the Social Security Act "one of the finest the court has ever rendered."

Senator Robert F. Wagner of New York declared that the Supreme Court decision "makes it certain now that Congress may enact laws to fix maximum hours, minimum wages, and abolish child labor." Wagner declared his intention to establish a Federal Department of Public Welfare, with the director holding Cabinet rank. This came to pass, but, despite Senator Wagner's confident prediction that the court decision would abolish child labor, in fact we have as many

child laborers in 1991 as we had in 1937. Not only that, but in 1937, most women in the United States were at home, rearing their children and maintaining the home. Today, they must work outside of the home, to pay ruinous taxation and interest rates, while their children wander the streets, unattended, and at the mercy of drug dealers, rapists and child molesters. The American way of life, which had managed to survive the worst ravages of the Depression, was now to be banished forever by the ministrations of the new Welfare State.

CHAPTER SIX

THE FUTURE OF AMERICA

The outcome of the machinations, the conspiracies, and the acts of criminal syndicalism which America has endured in recent decades is the Welfare State. But, just as John Adams remarked, after the adoption of the Constitution, "You have a Republic, if you can keep it!" So the American citizen can retort today to the conspirators, "You have a Welfare State, if you can keep it!" The flaw in the system which the Welfare State has set up is subterfuge. It can function only as long as the people remain ignorant of what is actually going on, that the Welfare State, far from being a Fountain of Plenty, is merely an agency of ruthless exploitation, that it is rapidly wasting the assets of the nation, and that, indeed, it has probably already passed the point of no return in national bankruptcy. This farce, or shadow play, that it cannot continue to provide "assistance" or benefits to anyone in the United States without continuing to borrow money, is now exposed as an entertainment for which we had to buy tickets - it is not free.

The conspirators have been successful in persuading us to relinquish our Constitutional rights in favor of "entitlements", that is, government benefits, as Webster's Dictionary points out in its definition of "entitlement - a means of obtaining or the right to benefits from state unemployment compensation, or federal old age and survivors insurance". The funds for payment of "entitlements" must come from government - it in turn must raise the funds by taxation - but a point of no return has been reached, a point where the number of entitled persons outnumbers the persons who are to be taxed to pay the entitlements. After some futile financial maneuvers, the government is forced to admit that the Welfare State can no longer function. At this point, we can return to Constitutional government, we can submit to some form of dictatorship or other forcible emergency government, or we can sink into anarchy.

The most positive step is to admit what has been documented here, that the Welfare State procured the authority to issue its entitlements by a fraudulent interpretation of Article I, Section Eight of the Constitution of the United States; that this interpretation was

sought after and foisted upon the American people by a group composed of international financiers, Marxist conspirators, and other wreckers whose motivations may not be apparent even at this late date; and that the judicial system which from the Supreme Court on down has been pressed into service to give this conspiracy the color of legality is no longer valid. The vast federal, state and local bureaucracies are now hoist upon their own petard. They cannot produce anything which will aid in their dilemma, because, by their very nature, they are not only nonproductive, they are counter-productive. In the face of this crisis, the United States can only look forward to a political and economic impasse such as that which now faces the Soviet Union, an impasse which can only end in a major political dissolution and reorganization. We need not depend upon the old political standby, that of armed revolution, as this is a product of the Age of Enlightenment which has already outlived its usefulness. Instead of looking for such an outmoded solution, we must renew the impulse and resolution which brought the United States of America into being, that is, patriots, men of good will, who are capable of meeting together and devising a more perfect union in which the citizens will once again be guaranteed the right to life, liberty, and the pursuit of happiness.

The greatest error which citizens can commit is their feeling of panic and loss, that they have "lost" something. We Americans have certainly been robbed, but we still have everything that God gave us. The only mistake we can make at this point is to continue to follow the thieves, believe the liars, and give allegiance to the traitors. These criminals can no longer hide behind their elaborate masks. Their deeds have exposed them to all of us. We have only to look upon them, to see what they are, and to resolve that never again will we be duped by such shallow and transparent tricksters. Americans, the hour is yours!